

REMARKS

Favorable reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

I. CLAIM STATUS AND AMENDMENTS

Claims 1 and 3-19 were pending in this application when last examined.

Claims 1, 3, 7, 13 and 14 were examined on the merits and stand rejected.

Claims 4, 5, 8-12 and 15-19 were withdrawn as non-elected subject matter.

Claims 2-5 and 7-19 are cancelled without prejudice or disclaimer thereto.

Claim 1 is amended to clarify the claimed invention.

Claims 1 and 6 are currently pending.

No new matter has been added.

In item 9 on page 1 and in item 2 on page 2 of the Office Action, the specification was objected to for listing a Sequence in paragraph [0024] of the specification without a SEQ ID NO. The specification has been amended to recite a SEQ ID NO, as required. Further, enclosed herewith is a new Sequence Listing in PDF and computer readable format. The content of the PDF and computer readable copies are the same and no new matter has been added. Thus, this objection is overcome.

II. CLAIM OBJECTIONS

In item 3 on page 2 of the Office Action, claims 1, 3, 6, 7, 13 and 14 were objected for the noted reasons. These rejections are overcome, as applied to the remaining claims 1 and 6 for reasons which are self-evident.

III. ENABLEMENT REJECTIONS

In item 4(b) on pages 2-3, claims 1, 3, 6, 7, 13 and 14 were rejected under 35 U.S.C. 112, first paragraph, for failing to meet the enablement requirement.

Applicants respectfully traverse this rejection as applied to amended claims 1 and 6.

The Examiner alleged that the peptides of SEQ ID NOs 4 and 5 were not supported by the examples. With respect to EGFR₄₇₉₋₄₈₈(SEQ ID NO: 4) and EGFR₁₁₃₈₋₁₁₄₇(SEQ ID NO: 5),

similar effects as the peptides of SEQ ID NOS 1-3 shown in Examples 1 and 2 are exemplified in Example 3. Please see page 22-23 and Figs. 7-11 of the specification. Thus, Applicants respectfully suggest that this rejection is untenable as applied to amended claims 1 and 3, and should be withdrawn.

Further, in item 4(c) on page 3 of the Office Action, claims 7 and 14 were rejected under 35 U.S.C. 112, first paragraph. These claims are cancelled without prejudice and therefore this rejection is moot.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and early notice to that effect is hereby requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact the undersigned attorney at the telephone number below.

Respectfully submitted,

Kyogo ITOH et al.

By /William R. Schmidt, II/
William R. Schmidt, II
Registration No. 58,327
Attorney for Applicants

Digitally signed by /William R. Schmidt, II/
DN: cn=/William R. Schmidt, II/, o=WLP,
ou, email=bschmidt@wenderoth.com,
c=US
Date: 2009.08.19 15:18:54 -04'00'

WRS/vah
Washington, D.C. 20005-1503
Telephone (202) 721-8200
Facsimile (202) 721-8250
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